

1 BOIES, SCHILLER & FLEXNER LLP
2 RICHARD J. POCKER (NV Bar No. 3568)
3 300 South Fourth Street, Suite 800
4 Las Vegas, NV 89101
5 TELEPHONE: (702) 382-7300
6 FACSIMILE: (702) 382-2755
7 rpocker@bsfllp.com

5 BOIES, SCHILLER & FLEXNER LLP
6 STEVEN C. HOLTZMAN (*pro hac vice*)
7 FRED NORTON (*pro hac vice*)
8 KIERAN P. RINGGENBERG (*pro hac vice*)
9 1999 Harrison Street, Suite 900
10 Oakland, CA 94612
11 TELEPHONE: (510) 874-1000
12 FACSIMILE: (510) 874-1460
13 sholtzman@bsfllp.com
14 fnorton@bsfllp.com
15 kringgenberg@bsfllp.com

11 BINGHAM MCCUTCHEON LLP
12 GEOFFREY M. HOWARD (*pro hac vice*)
13 BREE HANN (*pro hac vice*)
14 THOMAS S. HIXSON (*pro hac vice*)
15 KRISTEN A. PALUMBO (*pro hac vice*)
16 THREE EMBARCADERO CENTER
17 SAN FRANCISCO, CA 94111-4067
18 Telephone: 415.393.2000
19 Facsimile: 415.393.2286
20 geoff.howard@bingham.com
21 thomas.hixson@bingham.com
22 kristen.palumbo@bingham.com

17 DORIAN DALEY (*pro hac vice*)
18 DEBORAH K. MILLER (*pro hac vice*)
19 JAMES C. MAROULIS (*pro hac vice*)
20 ORACLE CORPORATION
21 500 Oracle Parkway
22 M/S 5op7
23 Redwood City, CA 94070
24 Telephone: 650.506.4846
25 Facsimile: 650.506.7114
26 dorian.daley@oracle.com
27 deborah.miller@oracle.com
28 jim.maroulis@oracle.com

24 Attorneys for Plaintiffs
25 Oracle USA, Inc., Oracle America, Inc., and
26 Oracle International Corp.

SHOOK, HARDY & BACON LLP
B. Trent Webb (*pro hac vice*)
Eric Buresh (*pro hac vice*)
2555 Grand Boulevard
Kansas City, Missouri 64108-2613
Telephone: (816) 474-6550
Facsimile: (816) 421-5547
bwebb@shb.com
eburesh@shb.com

Robert H. Reckers (*pro hac vice*)
600 Travis Street, Suite 1600
Houston, Texas 77002
Telephone: (713) 227-8008
Facsimile: (713) 227-9508
rreckers@shb.com

LEWIS AND ROCA LLP
W. West Allen (Nevada Bar No. 5566)
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
Tel: (702) 949-8200
Fax: (702) 949-8398
WAllen@LRLaw.com

GREENBERG TRAURIG
Mark G. Tratos (Nevada Bar No. 1086)
Brandon Roos (Nevada Bar No. 7888)
Leslie Godfrey (Nevada Bar No. 10229)
3773 Howard Hughes Parkway
Suite 400 North
Las Vegas, NV 89169
Telephone: (702) 792-3773
Facsimile: (702) 792-9002
tratosm@gtlaw.com
roosb@gtlaw.com
godfreyl@gtlaw.com

Attorneys for Defendants Rimini Street,
Inc., and Seth Ravin

4 ORACLE USA, INC., a Colorado corporation;
5 ORACLE AMERICA, INC., A Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

7 v. Plaintiffs,

8 RIMINI STREET, INC., a Nevada corporation;
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

STIPULATION AND [PROPOSED] ORDER TO (1) EXTEND DEADLINE TO FILE MOTIONS TO COMPEL AND CONCERNING OTHER DISCOVERY DEADLINES AND (2) TO SCHEDULE THE NEXT CASE MANAGEMENT CONFERENCE

Courtroom: 3B
Judge: Magistrate Peggy A. Leen

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12 Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corp.
13 (collectively, “Oracle” or “Plaintiffs”) and Defendants Rimini Street, Inc. (“Rimini Street”) and
14 Seth Ravin (“Ravin”) (together, “Rimini” or “Defendants”) stipulate as follows and request that
15 the Court enter the [Proposed] Order set forth below.

16 1. On November 4, 2011, Oracle served its Third Set of Requests for Admission on
17 Rimini. Rimini's deadline to respond to these RFAs is December 5, 2011. Rimini has requested
18 a two week extension of time to respond to these RFAs, which would make them due December
19 19, 2011. Oracle agrees to this extension if the existing December 19 deadline to file motions to
20 compel is pushed back.

21 2. The parties anticipate producing additional documents, amending discovery
22 responses, and receiving additional third party productions after the existing fact discovery cutoff
23 on December 5, 2011. The parties agree that documents produced or amended discovery
24 responses served by the parties by December 19 should be considered to have been produced
25 during the fact discovery period of the case, as should be documents produced by third parties
26 after the December 5 fact discovery cutoff if the third party was timely subpoenaed before the
27 December 5 discovery cutoff.

28 3. In light of the parties' agreements in paragraphs 1 and 2 above, a number of

1 discovery responses or amended responses may be served on December 19. Accordingly, the
2 parties jointly request that the deadline to file a motion to compel be extended. Because the
3 Court's practice has been to hear motions to compel at Case Management Conferences, the
4 parties request that the Court schedule a further CMC on January 10, 2012, if that date is
5 convenient for the Court, and to extend the deadline to move to compel to the filing of the joint
6 CMC statement.

7 4. In addition, Oracle is still analyzing Rimini's recent productions, including to
8 what extent Rimini has produced Support Service Agreements for customers identified in Exhibit
9 A to Rimini's response to Oracle's Interrogatory No. 27. These Rimini agreements contain
10 product and date information that is necessary for Oracle to confirm it has accurately identified,
11 collected, and produced the corresponding Oracle support contract information for relevant
12 customers. To the extent Rimini produces additional relevant agreements from now until
13 December 19, Oracle may require two weeks after Rimini produces its agreements to produce
14 corresponding Oracle contract information.

15 5. This agreement between the parties is intended only to alter the dates agreed to
16 herein, and the parties will not use this agreement as a basis to seek changes to other case
17 deadlines.

18 Accordingly, the parties request that the Court order as follows:

19 A. Rimini's deadline to respond to Oracle Third Set of Requests for Admission is
20 extended to December 19, 2011.

21 B. Documents produced or amended discovery responses served by the parties by
22 December 19 will be considered to have been produced or served during the fact discovery
23 period of the case, as will be documents produced by third parties after the December 5 fact
24 discovery cutoff if the third party was timely subpoenaed before the December 5 discovery
25 cutoff.

26 C. To the extent Rimini produces additional Support Service Agreements for
27 customers identified in Exhibit A to Rimini's response to Oracle's Interrogatory No. 27 between
28 November 29 and December 19, Oracle has two weeks after Rimini produces such agreements to

1 produce corresponding Oracle contract information.

2 D. The next Case Management Conference is scheduled for January 10, 2012 at
3 32~~52~~"c0 0"or at such time as is convenient for the Court. The deadline to file motions to
4 eqo r gn'ku"extended to the date of filing the joint CMC statement for that CMC.

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8 DATED: November 30, 2011

9 BINGHAM McCUTCHEN LLP

SHOOK, HARDY & BACON LLP

10

11 By: /S/ Geoffrey M. Howard

12 Geoffrey M. Howard (*pro hac vice*)
Three Embarcadero Center
13 San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286
14 geoff.howard@bingham.com

By: /S/ Robert H. Reckers

15 Robert H. Reckers (*pro hac vice*)
600 Travis Street, Suite 1600
Houston, Texas 77002
Telephone: (713) 227-8008
Facsimile: (731) 227-9508
16 reckers@shb.com

17 Attorneys for Plaintiffs

18 Attorneys for Defendants

19 Pursuant to stipulation, it is SO ORDERED"j k"4pf "f c{ "qh'F gego dgt."42330

20 

21 Hon. Peggy A. Leen
22 United States Magistrate Judge

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1 **PROOF OF SERVICE**

2 I am over eighteen years of age, not a party in this action, and employed in San
3 Francisco County, California at Three Embarcadero Center, San Francisco, California 94111-
4 4067. I am readily familiar with the practice of this office for collection and processing of
5 correspondence for email delivery.

6 Today I caused to be served the following document:

7 **STIPULATION AND [PROPOSED] ORDER TO (1) EXTEND
8 DEADLINE TO FILE MOTIONS TO COMPEL AND CONCERNING
9 OTHER DISCOVERY DEADLINES AND (2) TO SCHEDULE THE
NEXT CASE MANAGEMENT CONFERENCE**

10 (BY ELECTRONIC MAIL) by transmitting via electronic mail document(s) in
11 portable document format (PDF) listed below to the email address set forth
below on this date.

12 B. Trent Webb, Esq.
13 Eric Buresh, Esq.
14 David J. Niegowski, Esq.
15 Ryan Dykal, Esq.
16 SHOOK, HARDY & BACON LLP
2555 Grand Blvd.
17 Kansas City, Missouri 64108
Telephone: (816) 474-6550
18 Facsimile: (816) 421-5547

19 bwebb@shb.com
eburesh@shb.com
dniegowski@shb.com
rdykal@shb.com

20 Robert H. Reckers, Esq.
21 SHOOK, HARDY & BACON LLP
600 Travis Street, Suite 1600
22 Houston, Texas 77002
Telephone: (713) 227-8008
Facsimile: (713) 227-9508
23 rreckers@shb.com

Mark G. Tratos, Esq.
Brandon Roos, Esq.
Leslie Godfrey, Esq.
GREENBERG TRAURIG, LLP
3773 Howard Hughes Pkwy
Ste 400 North
Las Vegas, NY 89169
Telephone: (702) 792-3773
Facsimile: (702) 792-9002
tratosm@gtlaw.com
roosb@gtlaw.com
godfreyl@gtlaw.com

W. West Allen, Esq.
LEWIS AND ROCA LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
Telephone: (702) 949-8200
Facsimile: (702) 949-8398
WAllen@LRLaw.com

24 I declare that I am employed in the office of a member of the bar of this court at
25 whose direction the service was made and that this declaration was executed on November 30,
26 2011 at San Francisco, California.

27 /S/Kelley A. Garcia

28 Kelley A. Garcia